

1 AN ACT relating to attorneys.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔ Section 1. KRS 27A.100 is amended to read as follows:

4 (1) There is hereby created a Judicial Council composed of the following persons:

5 **(a) The Chief Justice of the Supreme Court or his or her designee from among**
6 **the members of that court;**

7 **(b) The Chief Judge of the Court of Appeals or his or her designee from among**
8 **the members of that court;**

9 **(c) Two (2) Circuit Judges, one (1) of whom shall be a Family Court Judge,**
10 **elected by the Circuit Judges Association of Kentucky;**

11 **(d) Two (2) District Judges, elected by the District Judges' Association of**
12 **Kentucky**~~[The Chief Justice of the Supreme Court or his designee from~~
13 ~~among the members of that court; the Chief Judge of the Court of Appeals or~~
14 ~~his designee from among the members of that court; four (4) Circuit Judges,~~
15 ~~and four (4) District Judges, all of whom shall be appointed by the Chief~~
16 ~~Justice of the Supreme Court];~~

17 **(e)** The president of the Kentucky Association of Circuit Court Clerks;

18 **(f)** Three (3) members of the State Bar of Kentucky who shall be appointed by its
19 board of governors;~~[and]~~

20 **(g) The president of the Kentucky County Attorneys Association, who shall**
21 **serve as a non-voting, ex officio member;**

22 **(h) The president of the Kentucky Commonwealth's Attorneys' Association,**
23 **who shall serve as a non-voting, ex officio member;**

24 **(i) The public advocate, who shall serve as a non-voting, ex officio member;**
25 **and**

26 **(j)** The **chairs**~~[chairmen]~~ of the Judiciary Committees of the House of
27 Representatives and of the Senate, or the vice **chair**~~[chairman]~~ of **either**~~[any]~~

1 of these committees if the ~~chair~~^{chairman} declines to serve, who shall serve
2 as non-voting, ex officio members.

3 (2) The appointed members shall serve for a term of four (4) years and until their
4 successors are appointed and qualify. Vacancies in the office of appointed members
5 shall be filled by the original appointing authority.

6 (3) (a) The chair of the House Judiciary Committee, or the vice chair if the chair
7 declines to serve, shall serve as chair of the council for one (1) year
8 beginning January 1, 2023, with the Chair of the Senate Judiciary
9 Committee serving as vice chair of the council;

10 (b) The chair of the Senate Judiciary Committee, or the vice chair if the chair
11 declines to serve, shall serve as chair of the council for one (1) year
12 beginning January 1, 2024, with the Chief Justice of the Supreme Court, or
13 his or her designee from among the members of that court, serving as vice
14 chair of the council;

15 (c) The Chief Justice of the Supreme Court, or his or her designee from among
16 the members of that court shall serve as chair of the council for one (1) year
17 beginning January 1, 2025, with the chair of the House Judiciary
18 Committee, or the vice chair if the chair declines to serve, serving as vice
19 chair of the council;

20 (d) The vice chair shall serve in the absence of the chair;

21 (e) Upon expiration of the term of the Chief Justice of the Supreme Court, the
22 rotation established under paragraphs (a) to (c) of this subsection shall
23 continue in perpetuity; and

24 (f) The members of the council shall annually select a secretary from among
25 the voting membership of the council~~Chief Justice of the Supreme Court~~
26 ~~shall be the chairman of the council, or if he is not a member or declines to~~
27 ~~serve as chairman, a member of the council shall be appointed by him to serve~~

1 ~~as chairman. The administrative director of the courts shall serve as secretary}.~~

2 ➔Section 2. KRS 527.020 is amended to read as follows:

- 3 (1) A person is guilty of carrying a concealed weapon when he or she carries concealed
4 a firearm or other deadly weapon on or about his or her person in violation of this
5 section.
- 6 (2) Peace officers and certified court security officers, when necessary for their
7 protection in the discharge of their official duties; United States mail carriers when
8 actually engaged in their duties; and agents and messengers of express companies,
9 when necessary for their protection in the discharge of their official duties, may
10 carry concealed weapons on or about their person.
- 11 (3) The director of the Division of Law Enforcement in the Department of Fish and
12 Wildlife Resources, conservation officers of the Department of Fish and Wildlife
13 Resources, and policemen directly employed by state, county, city, or urban-county
14 governments may carry concealed deadly weapons on or about their person at all
15 times within the Commonwealth of Kentucky, when expressly authorized to do so
16 by law or by the government employing the officer.
- 17 (4) Persons carrying concealed weapons in accordance with KRS 237.109 or licensed to
18 carry a concealed deadly weapon pursuant to KRS 237.110 may carry a concealed
19 firearm or other concealed deadly weapon on or about their persons at all times
20 within the Commonwealth of Kentucky, if the firearm or concealed deadly weapon
21 is carried in conformity with the requirements of KRS 237.109 or 237.110. Unless
22 otherwise specifically provided by the Kentucky Revised Statutes or applicable
23 federal law, no criminal penalty shall attach to carrying a concealed firearm or other
24 deadly weapon at any location at which an unconcealed firearm or other deadly
25 weapon may be constitutionally carried. No person or organization, public or
26 private, shall prohibit a person from possessing a firearm, ammunition, or both, or
27 other deadly weapon in his or her vehicle in compliance with the provisions of KRS

1 237.109, 237.110, and 237.115. Any attempt by a person or organization, public or
2 private, to violate the provisions of this subsection may be the subject of an action
3 for appropriate relief or for damages in a Circuit Court or District Court of
4 competent jurisdiction.

5 (5) (a) The following persons, if they hold a license to carry a concealed deadly
6 weapon pursuant to KRS 237.110 or 237.138 to 237.142, may carry a firearm
7 or other concealed deadly weapon on or about their persons at all times and at
8 all locations within the Commonwealth of Kentucky, without any limitation
9 other than as provided in this subsection:

- 10 1. A Commonwealth's attorney or assistant Commonwealth's attorney;
- 11 2. A retired Commonwealth's attorney or retired assistant Commonwealth's
12 attorney;
- 13 3. A county attorney or assistant county attorney;
- 14 4. A retired county attorney or retired assistant county attorney;
- 15 5. A justice or judge of the Court of Justice;
- 16 6. A retired or senior status justice or judge of the Court of Justice;~~[-and]~~
- 17 7. The Attorney General and any attorney employed by the Department
18 of Law;
- 19 8. An attorney licensed to practice law in the Commonwealth of
20 Kentucky; and
- 21 9.~~[7.]~~ A retired peace officer who holds a concealed deadly weapon license
22 issued pursuant to the federal Law Enforcement Officers Safety Act, 18
23 U.S.C. sec. 926C, and KRS 237.138 to 237.142.

24 (b) The provisions of this subsection shall not authorize a person specified in this
25 subsection to carry a concealed deadly weapon in a detention facility as
26 defined in KRS 520.010 or on the premises of a detention facility without the
27 permission of the warden, jailer, or other person in charge of the facility, or

1 the permission of a person authorized by the warden, jailer, or other person in
2 charge of the detention facility to give such permission. As used in this
3 section, "detention facility" does not include courtrooms, facilities, or other
4 premises used by the Court of Justice or administered by the Administrative
5 Office of the Courts.

6 (c) A person specified in this section who is issued a concealed deadly weapon
7 license shall be issued a license which bears on its face the statement that it is
8 valid at all locations within the Commonwealth of Kentucky and may have
9 such other identifying characteristics as determined by the Department of
10 Kentucky State Police.

11 (6) (a) Except as provided in this subsection, the following persons may carry
12 concealed deadly weapons on or about their person at all times and at all
13 locations within the Commonwealth of Kentucky:

- 14 1. An elected sheriff and full-time and part-time deputy sheriffs certified
15 pursuant to KRS 15.380 to 15.404 when expressly authorized to do so
16 by the unit of government employing the officer;
- 17 2. An elected jailer and a deputy jailer who has successfully completed
18 Department of Corrections basic training and maintains his or her
19 current in-service training when expressly authorized to do so by the
20 jailer; and
- 21 3. The department head or any employee of a corrections department in any
22 jurisdiction where the office of elected jailer has been merged with the
23 office of sheriff who has successfully completed Department of
24 Corrections basic training and maintains his or her current in-service
25 training when expressly authorized to do so by the unit of government
26 by which he or she is employed.

27 (b) The provisions of this subsection shall not authorize a person specified in this

1 subsection to carry a concealed deadly weapon in a detention facility as
2 defined in KRS 520.010 or on the premises of a detention facility without the
3 permission of the warden, jailer, or other person in charge of the facility, or
4 the permission of a person authorized by the warden, jailer, or other person in
5 charge of the detention facility to give such permission. As used in this
6 section, "detention facility" does not include courtrooms, facilities, or other
7 premises used by the Court of Justice or administered by the Administrative
8 Office of the Courts.

9 (7) (a) A full-time paid peace officer of a government agency from another state or
10 territory of the United States or an elected sheriff from another territory of the
11 United States may carry a concealed deadly weapon in Kentucky, on or off
12 duty, if the other state or territory accords a Kentucky full-time paid peace
13 officer and a Kentucky elected sheriff the same rights by law. If the other state
14 or territory limits a Kentucky full-time paid peace officer or elected sheriff to
15 carrying a concealed deadly weapon while on duty, then that same restriction
16 shall apply to a full-time paid peace officer or elected sheriff from that state or
17 territory.

18 (b) The provisions of this subsection shall not authorize a person specified in this
19 subsection to carry a concealed deadly weapon in a detention facility as
20 defined in KRS 520.010 or on the premises of a detention facility without the
21 permission of the warden, jailer, or other person in charge of the facility, or
22 the permission of a person authorized by the warden, jailer, or other person in
23 charge of the detention facility to give such permission. As used in this
24 section, "detention facility" does not include courtrooms, facilities, or other
25 premises used by the Court of Justice or administered by the Administrative
26 Office of the Courts.

27 (8) A loaded or unloaded firearm or other deadly weapon shall not be deemed

1 concealed on or about the person if it is located in any enclosed container,
2 compartment, or storage space installed as original equipment in a motor vehicle by
3 its manufacturer, including but not limited to a glove compartment, center console,
4 or seat pocket, regardless of whether said enclosed container, storage space, or
5 compartment is locked, unlocked, or does not have a locking mechanism. No person
6 or organization, public or private, shall prohibit a person from keeping a loaded or
7 unloaded firearm or ammunition, or both, or other deadly weapon in a vehicle in
8 accordance with the provisions of this subsection. Any attempt by a person or
9 organization, public or private, to violate the provisions of this subsection may be
10 the subject of an action for appropriate relief or for damages in a Circuit Court or
11 District Court of competent jurisdiction. This subsection shall not apply to any
12 person prohibited from possessing a firearm pursuant to KRS 527.040.

13 (9) The provisions of this section shall not apply to a person who carries a concealed
14 deadly weapon on or about his or her person:

15 (a) If he or she is the owner of the property or has the permission of the owner of
16 the property, on real property which he or she or his or her spouse, parent,
17 grandparent, or child owns;

18 (b) If he or she is the lessee of the property or has the permission of the lessee of
19 the property, on real property which he or she or his or her spouse, parent,
20 grandparent, or child occupies pursuant to a lease; or

21 (c) If he or she is the sole proprietor of the business, on real property owned or
22 leased by the business.

23 (10) Carrying a concealed weapon is a Class A misdemeanor, unless the defendant has
24 been previously convicted of a felony in which a deadly weapon was possessed,
25 used, or displayed, in which case it is a Class D felony.